

ORDINANCE NO. 97- 20

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS SERIES OF THE LAND USE ELEMENT; ADOPTING A SMALL SCALE DEVELOPMENT AMENDMENT; MODIFYING FUTURE LAND USE ATLAS PAGE 113 BY CHANGING A 9.79 ACRE PARCEL OF LAND GENERALLY LOCATED BETWEEN ORIOLE COUNTRY ROAD AND PONDEROSA DRIVE, APPROXIMATELY 1,200 FEET NORTH OF PALMETTO PARK ROAD, FROM LOW RESIDENTIAL 1 (LR-1) TO MEDIUM RESIDENTIAL 5 (MR-5); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, provides comprehensive plan amendments directly related to small scale development activity may be made by local governments without regard to statutory limits regarding the timing and frequency of plan amendments; and

WHEREAS, Section 163.3187(1)(c)4, Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing; and

WHEREAS, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

WHEREAS, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on April 25, 1997, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made a recommendation regarding the proposed amendment to the Palm Beach County Board of County Commissioners pursuant to

Chapter 163, Part II, Florida Statutes at the conclusion of the public hearing; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on May 22, 1997, to review the recommendation of the Local Planning Agency; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendment complies with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendment to the Future Land Use Atlas of the Land Use Element of the 1989 Comprehensive Plan

An Amendment to the Land Use Element's Future Land Use Atlas of the Palm Beach County 1989 Comprehensive Plan, is hereby adopted as follows:

A. Future Land Use Atlas page 113 is amended as follows:

Application No.: 1997 - SCA 113 RES 1

Amendment: From 9.79 acres of Low Residential 1 (LR-1) to Medium Residential 5 (MR-5).

General Location: Between Oriole Country Road and Ponderosa Drive, approximately 1,200 feet north of Palmetto Park Road.

Size: 9.79 acres

B. A legal description for the parcel depicting the amendment is attached to this ordinance as Exhibit 1.

C. A map depicting the amendment is attached to this ordinance as Exhibit 2.

1 Part II. Effective Date

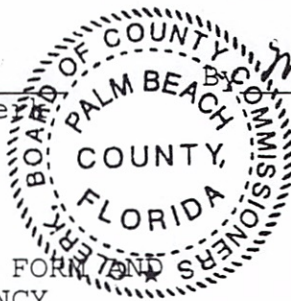
2 This amendment shall not become effective until 31 days
3 after adoption. If challenged within 30 days after adoption,
4 this amendment shall not become effective until the state land
5 planning agency or the Administration Commission, respectively,
6 issues a final order determining the amendment is in compliance.
7

8 **APPROVED AND ADOPTED** by the Board of County Commissioners of
9 Palm Beach County, on the 23 day of June, 1997.

10 DOROTHY H. WILKEN

11 PALM BEACH COUNTY, FLORIDA,
12 BY ITS BOARD OF COUNTY COMMISSIONERS

13 By: Jan Harvey
14 Deputy Clerk



15 Maude Ford Lee
16 Vice-Chair
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22 APPROVED AS TO FORM AND
23 LEGAL SUFFICIENCY

24 Barbara Altman
25 COUNTY ATTORNEY
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29 Filed with the Department of State on the 27th day of
30 June, 1997.
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LEGAL DESCRIPTION:

Lot 37, less the Easterly 10 feet thereof, Block 23, FLORIDA FRUITLAND COMPANY'S SUBDIVISION NO. 2, according to the plat thereof as recorded in Plat Book 1 at Page 102 of the public records of Palm Beach County, Florida.

GENERALIZED LOCATION MAP

Application No.: 1997-SCA 113 RES 1

General Location: Between Oriole Country Road and Ponderosa Drive, approximately 1200 feet north of Palmetto Park Road.

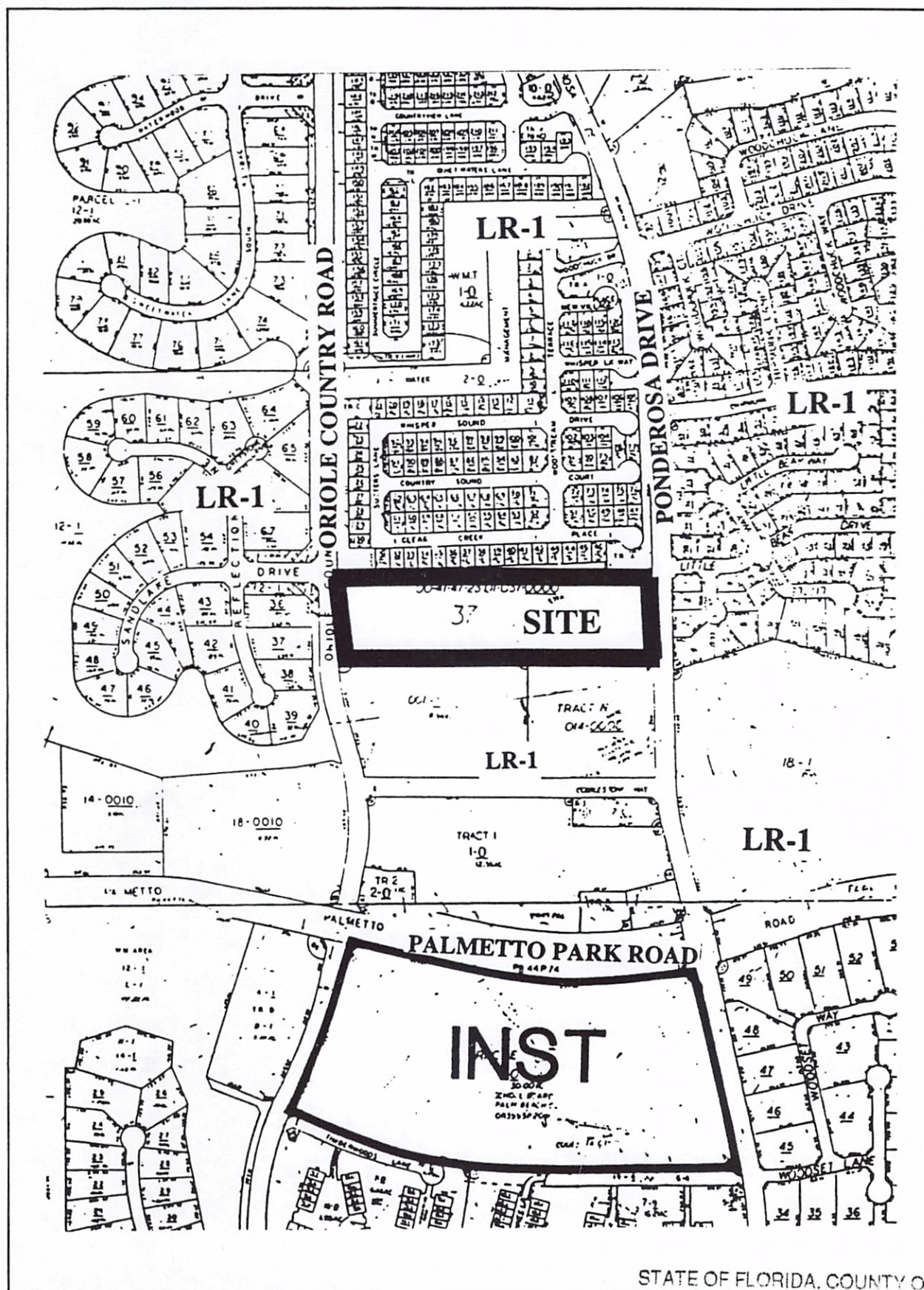
Size: 9.79 acres

Existing Use: Vacant

Existing FLU: Low Residential 1 (LR-1)

Adopted FLU: Medium Residential 5 (MR 5)

Property Number: 00-41-47-23-01-037-0000



STATE OF FLORIDA, COUNTY OF PALM BEACH
 I, DOROTHY H. WILKEN, ex-officio Clerk of the
 Board of County Commissioners, certify this to be a
 true and correct copy of the original filed in my office
 on 4/23/97
 DATED at West Palm Beach, FL on 7/9/97.
 DOROTHY H. WILKEN, Clerk
 By: Phyllis A. Howe D.C.